

**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-002724-26-SA

In the matter of: 3, 76 FAIRMONT AVE
OTTAWA ON K1Y1X5

Between: Ottawa Property Management & Real Estate Ltd. Landlord

And

Stephanie Lessard Tenant

Ottawa Property Management & Real Estate Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Stephanie Lessard (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on December 16, 2025 with respect to application LTB-L-075924-25.

The Landlord's application was resolved by order LTB-L-002724-26, issued on January 19, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-002724-26.

This motion was heard by videoconference on March 17, 2026. The Landlord's representatives Alex Grant and Property Manager Fady Gayed, and the Tenant's representative Robert Leth, attended the hearing.

Determinations:

1. With the assistance of a Board Dispute Resolution Officer, at a hearing held on December 9, 2025, the Tenant agreed to bring the rental unit into a state of ordinary cleanliness and free from excessive clutter, on or before January 1, 2026.
2. The Landlord filed an L4 application on January 9, 2026, with photographs of the unit showing excessive clutter remains in the unit.
3. On January 29, 2026, the Tenant filed a set aside motion which was heard on February 4, 2026. The evidence showed excessive clutter remained in the unit. Mr. Leth testified that the unit would be decluttered by March 2, 2026. In an effort to preserve the tenancy, the matter was adjourned to allow the Tenant to comply.

4. The Landlord's submission shows that the Landlord gave notice to inspect the unit on March 3, 2026 but that on that date the Tenant requested an extension until March 5th. On March 5th, the Tenant again request4ed an extension until March 9th. The Landlord's representative was not available on March 5th, so an inspection took place on March 6th.
5. Mr. Leth agreed that these submissions are accurate.
6. Photographs of the unit, submitted by the Landlord of the inspection, show that there had been little change from the photographs taken before the L4 application was filed in January.
7. The Tenant was asked at the hearing to use his camera to show the current condition. It appears that nothing has changed.
8. The Landlord submits that the condition of the unit has continued since the first N5 notice was served on the Tenant on July 10, 2025. The Tenant's representative denied the claim and testified there has been a lot of improvement. The original order was LTB-L-075924-25. At this hearing I reviewed the photographs of the unit that gave rise to the N5 notice that was served on the Tenant. There has been little change.
9. After considering all of the circumstances, including the fact that it has been eight months since the first N5 was served and the unit remains in a state of excessive clutter, and the fact that the Tenant was provided an additional opportunity to comply at their request and has failed to comply, I find that it would be unfair to set aside order LTB-L-002724-26.
10. The Tenant's representative requested a delay lifting the stay until the end of April 2026. The Landlord agreed to the request.

It is ordered that:

1. The motion to set aside Order LTB-L-002724-26, issued on January 19, 2026, is denied.
2. The stay of order LTB-L-002724-26 is lifted April 30, 2026.
3. Order LTB-L-002724-26 is unchanged.

March 24, 2026

Date Issued

Greg Joy

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.